

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DARRIANA HUMPHREY,

Case No. 2:24-cv-00456-GMN-EJY

Plaintiff,

ORDER

v.

COUNTY OF HENDERSON, *et al.*,

Defendants.

On March 4, 2024, Plaintiff submitted a Civil Rights Complaint under 42 U.S.C. § 1983 contending she is a pretrial detainee housed at Henderson County Detention Center (“HCDC”). ECF No. 1-1. Plaintiff neither paid the \$405 filing fee for a civil action nor applied to proceed *in forma pauperis* (“IFP”). ECF No. 1. On March 14, 2024, Plaintiff filed a Motion Pursuant to Federal Rules of Civil Procedure 7 arguing HCDC has no system to “comply with the court order to sign the IFP form and allow the plaintiff to proceed with her case.” ECF No. 4. Plaintiff asks the Court to order HCDC to provide the financial documents necessary for her to properly apply for IFP status. *Id.*

Two weeks later, on March 28, 2024, Plaintiff filed a notice that she had been transferred to Dakota County Jail (“DCJ”) in Hastings, Minnesota. ECF No. 5. According to DCJ’s inmate database Plaintiff is no longer housed at that facility and fails to file her updated address with the Court in compliance with Local Rule IA 3-1.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s Motion Pursuant to Federal Rules of Civil Procedure 7 (ECF No. 4) is DENIED.

IT IS FURTHER ORDERED that on or before **June 28, 2024**, Plaintiff must file her updated address with the Court.

IT IS FURTHER ORDERED that on or before **June 28, 2024**, Plaintiff must either pay the \$405 filing fee for a civil action or file with the Court (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly

1 signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail**
2 **trust fund account statement for the previous six-month period**

3 IT IS FURTHER ORDERED that Plaintiff's failure to update her address and either pay the
4 \$405 filing fee or file a complete application to proceed *in forma pauperis* on or before **June 28,**
5 **2024**, will result in a recommendation to dismiss this action **without prejudice**. A dismissal without
6 prejudice allows Plaintiff to file her case with the Court, under a new case number, when she is able
7 to comply with LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the
8 required filing fee.

9 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1),
10 but will not file it at this time.

11 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved
12 form application to proceed *in forma pauperis* for inmate along with the information and instructions
13 for filing the same.

14 DATED this 3rd day of June, 2024.

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17 ELAYNA J. YOUCHAK
18 UNITED STATES MAGISTRATE JUDGE
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